EXTRACTS FROM THE MINUTES OF THE GENERAL ASSEMBLY RELATING TO CONSTITUTIONAL CHANGES IN QUEEN'S UNIVERSITY.

The following extracts from the Minutes of the General Assembly are printed for the information of the members of the Commission appointed by the General Assembly, June, 1909, to confer with the Trustees of Queen's University regarding proposed changes in the Constitution of the University.

SAMUEL LYLE, Chairman.

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(1) *The Trustees of Queen's Submit the Question of Constitutional Changes to the Assembly in* 1900.

"The Trustees had before them suggestions with regard to making their body more representative, especially of the graduates, who are now the basal constituency of the Scottish Universities, and with regard to governing the theological faculty by a special Board appointed by the General Assembly. A Committee was appointed to consider the matter, and the Trustees respectfully ask the General Assembly to appoint a Committee to confer with it regarding the relations of the Church to the University." (Extract from Report of Trustees of Queen's University to the General Assembly, 1900).

(2) *The Assembly appoints a Committee to consider Changes in the Constitution of the University.*

"The Assembly called for the Report of Queen's University and College, which was given in by Principal Grant, and which, being printed and in the hands of the members, he called attention to in his remarks. He specially asked that the Assembly should give careful consideration to the matter of the proposed changes in the constitution of the Governing Body of the University, and moved, seconded by Principal MacVicar:—That the report be received; that the General Assembly express satisfaction at the continued prosperity of the University, and defer further consideration of the report until a Committee, appointed by the Moderator, has considered the important constitutional changes suggested."

The motion was carried.

Committee on Queen's University.

"Dr. John Thompson, Convener; Drs. Forrest, Sedgwick, Warden, Torrance, Carmichael, Lyle, Herridge, Campbell (Perth); Principals Grant, Caven, MacVicar; Messrs. Alfred Gandier, McNaughton, J. G. Stuart, Strachan, Peck, Cormack, Hodges, Professor Falconer, Ministers; with A. G. Farrell, Professor W. Murray, Robert Murray, George Keith, George Rutherford, George Hay, Senator McKean, W. E. Rosburgh, Jas. Baird, Robert Davidson, J. A. Macdonald, J. A. Allan, William Hamilton, James Rodger, Professor Dyde, Elders." (Extract from Minutes of General Assembly, 1900).

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(3) *The Report of the Committee in favour of Changes in the Constitution is adopted.*

"The Assembly called for the Report of the Committee on the Constitution of Queen's University and College, which was given in by Dr. Thompson, Convener, who moved its reception and the adoption of the following resolution: 'The General Assembly is gratified by the proposal referred to in the report of Queen's University, to have the Theological Faculty under the care of a special Board appointed by the Assembly, and would approve of any well-considered change in the Constitution of the University which would still further increase its usefulness by making the body of Trustees more completely representative of the undenominational character of the work which it is at present doing. In view of the great importance of having practical unanimity among the graduates and benefactors of the University, respecting the important changes in its constitution which have been proposed, the Assembly appoint a Committee to confer with the Trustees of the University and aid them in obtaining a satisfactory solution of the whole question brought before it in the report of the University, Committee to report to next Assembly.'"

Committee to Confer with Trustees of Queen's College.

Principal Caven, Convener; Drs. Thompson, R. Torrance, Warden, Somerville, J. Carmichael, R. N. Grant, Mr. W. J. Clark, Ministers; and Messrs. James Bain, R. Davidson, J. R. McNeillie, A. Neilson, J. A. Macdonald, George Keith, George Rutherford, W. B. McMurrich, and the Hon. Thomas Bain."

(4) *The Trustees report that a General Conference of Graduates and Corporators has sanctioned the Changes* (1901).

"The graduates were summoned to a Conference to be held in Convocation Hall on November 1st and 2nd last, and to this Conference the Corporators of the University were invited by advertisement in the Record of the Church. The Conference was largely attended, and after the fullest discussion, unanimously decided that the time had come to nationalize by statute the University, as completely as it has been nationalized in practice for many years, and to give to the Faculty of Theology a separate and independent incorporation, seeing that there is a certain inconsistency in having a denominational Faculty of Theology an integral part of an undenominational University.

"Careful consideration must be bestowed on the measures to be submitted to parliament in this connection. In order that the changes may be in the best interests of the University and the country, and that the rights of the Church particularly as regards the Constitution of the Theological College, its relation to the Assembly, its name and its endowments, may be safeguarded, the Trustees respectfully ask for the assistance of the General Assembly." (Extract from Report of Trustees of Queen's University to the General Assembly, 1901).

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(5) *The Assembly renews its Approval of the Changes* (1901).

It was agreed:

That the Assembly adopt the report of Queen's University and express its great satisfaction with the continued growth and prosperity of the University and the general recognition it has received during the past year.

That the Assembly renew the approval expressed by last Assembly of the proposal to place the Arts and Science departments of the University avowedly and by statute on the undenominational ground which they have occupied for many years, and to give to the Theological Faculty a distinct corporation to be, in a relation to the General Assembly, similar to that which the other Theological Colleges occupy.

That the Assembly express gratification at the unanimity of the Corporators and graduates regarding the proposed changes in the Constitution of the University.

That the Assembly adopt the report of the Committee to confer with the Trustees of the University.

That the Assembly re-appoint the Committee to confer with the Trustees regarding the details and to report to next Assembly; that the following names be added to the Committee: Revs. Dr. A. Black, Dr. MacTavish, W. G. Wallace and A Gandier, Ministers; R. Kilgour, E. Tyrrell, J. K. Macdonald and R. McQueen, Elders."

(6)*a* *The Assembly Committee on Conference with Trustees Report on the Changes required to nationalize the University.*

" The General Assembly of 1900 appointed a Committee to confer with the Trustees of Queen's University in regard to the changes proposed in the Constitution of the University.

The Committee met with the Trustees of Queen's University, in Knox College, on December 6th, at 4 p.m. The following members of the Committee were present: Drs. Warden, Torrance, Somerville, Thompson, Grant, Caven, J. A. Macdonald, J. R. McNeillie, George Keith, and W. B. McMurrich.

The Board of Trustees was represented by the following: Sir Sandford Fleming (Chancellor), Hon. Mr. Justice Maclennan (Chairman of Trustees), Principal Grant, Dr. Milligan, Dr. Armstrong Black, D. R. Drummond, George Macdonnell, M. Leggatt, Col. Davidson and Sheriff Maclennan.

Principal Caven was appointed Chairman and Rev. D. R. Drummond, Secretary.

The Hon. Mr. Justice Maclennan, Chairman of the Board of Trustees of Queen's University, presented the matter of the proposed changes in the constitution and read the following minute passed at a convention of the Trustees, Senate, Council, Graduates, Alumni, and Benefactors of Queen's College and University, to consider the proposed changes in the charter which were submitted by the Trustees to the last General Assembly:

"Whereas the constitution of the Board of Trustees of Queen's University has been modified both in 1874 and 1888, with the view of giving larger representation to all classes of its friends and graduates, and whereas in the general practice of the University other [illegible] have been introduced, rendering the University more national [illegible]s and character, and whereas since 1888 the growth of the University has been marked, especially in the following particulars:

1. Its cordial support and encouragement by public men of all shades of religious opinion.

2. The increase in the number of students and graduates who are not Presbyterians.

3. The growth of the connection of the University with the general education of the Province, and

4. The widening acceptance of Queen's as the University of this part of Canada, evidenced by the recent donation of $50,000 to the University by the City of Kingston, and proofs of the interest in Queen's by the adjoining municipalities. And whereas the General Assembly in its meeting at Halifax last June expressed its approval of any well considered change in the constitution of the University, which would still further increase its usefulness, by making the body of Trustees more completely representative of the undenominational character of the work which it is at present doing; and whereas, the Church has taken a deepening interest in the welfare of the University, evidenced more particularly by the Assembly's distribution of that portion of the Century Fund to be applied to the Theological Colleges, and whereas the General Assembly at its last meeting in Halifax expressed its gratification with the proposal to have the Theological Faculty under the care of a special Board to be appointed by the Assembly,

"Be it resolved (1) that in the judgment of this convention the Governing Board of Queen's University should be undenominational, and should be in a larger degree than at present directly representative of the graduates and friends of the University. (2) That the Faculty of Theology should be under the management of a Board distinct from the Governing Board of the University."

After very full discussion, a Committee consisting of Principal Caven, Principal Grant, Justice Maclennan, Dr. Warden and Dr. Thompson was appointed to report at a meeting to be held in the evening. The following is their report:

"The Committee of the General Assembly appointed to meet with the Trustees of Queen's University in regard to the proposed changes in the constitution of the University, and especially the proposal that the Theological Faculty should be placed under the care of a special Board, appointed by the Assembly, met with the Trustees, and, in consultation with them, considered fully the resolutions adopted by the Trustees and Graduates and Benefactors of the University, met in general convention on Nov. 1st and 2nd, 1900, in pursuance of the action taken by last Assembly on the Annual Report of the University.

The Committee have pleasure in stating that they regard these resolutions as generally satisfactory. Your Committee concur with the Trustees in the opinion that, in accordance with the resolutions of the General Assembly last year, it is competent and desirable for the Board of Trustees to seek such legislation as is necessary to effect the separation between the Theological Faculty and the other Faculties of the University, giving to the Theological Faculty separate and independent incorporation, and to make such changes in the constitution of the University as will render it entirely undenominational in its character."

It was moved by Dr. Thompson, seconded by Dr. R. N. Grant, and agreed that the report of the Committee be received and adopted.

It was also agreed that a copy of this report be transmitted to the Chairman of the Board of Trustees of Queen's University.

All of which is respectfully submitted to the General Assembly."

(Signed) WM. CAVEN, Chairman.

Toronto, May 25th, 1901.

(Report of Committee on Conference).

(6)*b* *Death of Principal Grant.*

"Since our last two Reports to the General Assembly, some progress has been made in regard to the changes in the Constitution of the University. The special Committee which reported to the last Assembly was reappointed with additional members to continue the conference with the Trustees of the University on this subject. A joint meeting was held at Kingston, on April 29th and 30th last, of a very harmonious and satisfactory character, though the unexpected absence of Principal Grant, who had just been struck down by what proved his last illness, produced a feeling of depression in all present. After careful consideration the meeting unanimously approved of the outline submitted of the new Constitution, with certain modifications. The result of these deliberations will appear in the Report of the Assembly's Committee.

The Trustees would respectfully ask the continuance of the co-operation and counsel of the General Assembly in the further prosecution of the proposed changes in the Constitution of the University. They feel the greater need than ever of such assistance now.

(6)*c* *Report of Trustees to Assembly (1902).*

"In the absence of the Chairman, Hon. Mr. Justice Maclennan, the report was presented by Mr. G. M. Macdonnell, K.C., who drew special attention to the course of legislation proposed, and traced the history of the institution up to the present, showing that the proposed changes are in line with the past history of the University. He also read from the report the paragraph referring to the irreparable loss sustained in the death of Principal Grant.

President Forrest moved the following resolution which was seconded by Principal Caven and supported by Dr. [illegible]

"That the Assembly adopt the report of the Board of Trustees of Queen's University and College and express great satisfaction at the evidence of steady progress made during the past year. The Assembly cannot refrain from expressing their deep sense of the loss sustained by the College and the Church through the death of Principal Grant."

(Extract from Minutes of General Assembly, 1902).

(7) *Principal Caven moves re-appointment of Committee to confer with Trustees regarding the Changes.*

"The Assembly called for the report of the Committee on Conference with the Trustees of Queen's University, which was presented by Principal Caven, Convener, who called attention to the matters contained therein as printed and in the hands of members. He concluded with moving that the Assembly:—

"Receive the report and re-appoint the Committee, with instructions to confer with the Trustees of the University respecting all matters connected with the proposed changes in the constitution of the University in which the interests of the Church are directly concerned, and also respecting any other matters related to the proposed changes, as to which the Trustees may wish to confer."

Dr. Campbell (Clerk) seconded the motion.

(8) *Dr. James Ross Moves an Amendment against the Changes.*

Dr. James Ross moved in amendment to the motion of Principal Caven, as follows:—

"That it be an instruction to the Committee to intimate to the Trustees of Queen's University that, while the Assembly recognizes that the Board is perfectly free to secure any legislation which may be deemed necessary in the interests of the institution, the Assembly would cordially welcome a continuance of the present relation of the University to the Church, should that be found still practicable."

The amendment was seconded by Dr. McMullen.

A vote being taken, the motion of Principal Caven prevailed over the amendment and was affirmed as the judgment of the House.

(9) *The Committee on Conference reports to the Assembly as to the Changes agreed on.*

"After careful discussion, renewed on the morning of Wednesday, April 30th, the following proposed changes in the Charter of the University were agreed to:—

Proposed Changes in Charter.

I. The legal designation of the University shall be "Queen's University in Canada," instead of Queen's College at Kingston, with the style and privileges of a University.

II. The legal designation of the Theological Faculty shall be Queen's Theological College," and the College may with the sanction of the Assembly be affiliated to the University on terms to be agreed upon between it and University authorities.

The University.

III. (*a*) The Visitor of the University shall be His Excellency the Governor-General of Canada.

(*b*) The Corporation shall consist of the Chancellor, the Principal, the Trustees, the Senate, the Graduates, the matriculated undergraduates, or students, and all persons who have subscribed or may hereafter subscribe to endow or otherwise enable the University to carry on its work.

(*c*) The Chancellor shall be the head of the University and shall confer academical degrees upon persons found qualified by the Senate. He shall be elected by the Council.

(*d*) The University Council shall be elected by the Graduates.

(*e*) A rector shall be elected by the Matriculated Students of the University.

(*f*) The Board of Trustees shall consist of the Chancellor, the Principal, the Rector, the Minister of Education of the Province of Ontario, and an assessor nominated by him, the Mayor of the City of Kingston or a person elected by the City Council, two Graduates elected annually by the University Council for five years (making 10 in all), two persons elected by co-optation annually (making 10 in all) from the Corporation.

The first twenty elected members shall be chosen by the present University Council and the present Trustees, respectively (10 each), of whom in each case two would retire annually.

They shall be eligible for re-election.

(*g*) The patronage of the University shall be exercised by the Board of Trustees. The Board may appoint a Cabinet, consisting of the Chancellor, the Chairman of the Board, the Principal, and two others of its number, whose duty shall be to nominate to the Board the persons who in their judgment are most fitted to be Professors.

(*h*) The appointment of Professors and all other officials shall be in the hands of the Board.

(*i*) The Board shall have the power of appointing its Chairman.

IV. *The Theological College.*

(*a*) The present Theological Faculty shall be continued under the control and government of such of the present Board of Trustees as are members of the Presbyterian Church in Canada, and the said Board shall be a body corporate with a common seal, under the name of Queen's Theological College.

(*b*) The Corporation shall consist of all persons who are now or shall at any time hereafter be ministers or members of the Presbyterian Church in Canada.

Five members of the said Board shall retire annually, in such order as may be determined by the Board, and the General Assembly shall annually appoint five members of the said Board to succeed those so retiring. They shall be eligible for re-appointment.

The General Assembly shall have power to change the number and manner of appointing the Board.

Finance.

All sums hitherto given or bequeathed to the Trustees of "Queen's College" for the Department of Theology or for Scholarships in connection with the said Department shall be transferred to and vested in Queen's Theological College, and in addition thereto a sum shall be paid over to Queen's Theological College from the funds of Queen's University.

There shall also be provided adequate class room and Faculty accommodation for Queen's Theological College along with the necessary fire, light and attendance. The sum to be paid over to Queen's Theological College, from the funds of Queen's University, shall be ascertained by a Committee to consist of Dr. Thompson, of Sarnia, and Mr. J. Macdonald, of Toronto, on behalf of the General Assembly, and four persons to be chosen by the Board of Trustees of the University.

It was further agreed that it is understood by the joint meeting that the Trustees in asking legislation are at perfect liberty to make such alterations in the form of the above resolutions as may be found necessary while the general spirit is retained."

(Signed WM. CAVEN, Chairman. (Signed) D. R. DRUMMOND, Secretary.

All of which is respectfully reported.

Toronto, June 6th, 1902.

(10)*a*. *The Bill to Change the Constitution is introduced into Parliament* (1903).

"The constitutional changes which have been under consideration for the past three years have now been embodied in a bill which has been introduced in Parliament at Ottawa and is expected to become law during the present session.

Whilst these changes will, in the words of the General Assembly's resolution of 1900, make the constitution of Queen's more in harmony with the non-denominational work she is doing, it is impossible that Queen's should ever forget the Church which gave her birth. She must always cherish the deepest affection for her spiritual mother, and her origin and past history can never cease to exercise the most beneficent influence upon her future." (Extract from Report of Queen's University to General Assembly, 1903).

"The Assembly called for the report of the Committee on Conference with the Trustees of Queen's University, which, in the lamented absence of Principal Caven, Convener, was presented by Dr. Warden, who briefly called attention to the contents of the report as printed, and in the hands of the members, and moved its reception.

Principal Gordon, in seconding Dr. Warden's motion regarding Queen's College, was heard in explanation of the draft of the Bill about to be introduced into Parliament, having for its aim the entire separation of the University of Queen's College from any semblance of connection with this Church." (Extracts from Minutes of General Assembly, 1903).

(10)*b*. *Mr. Charlton's motion for consolidation of Theological Colleges introduces a new element into the discussion.*

Mr. Charlton now presented to the Assembly the motion of which he gave notice yesterday. It is as follows:—

"The General Assembly recognizes the fact that the number of theological schools in connection with the Presbyterian Church in Canada is in excess of its requirements, and believes that the endowment and equipment of these schools is insufficient for the purpose of securing a high state of efficiency; that the unnecessary number scatters and impairs the educational forces of the Church; that the superior equipment and great resources of American theological schools tends to draw Canadian students from our own theological colleges; and that steps should be taken as soon as practicable to merge these Colleges into an Eastern and Western University and Divinity School; each with endowment, equipment, and resources sufficient to meet in an efficient and satisfactory manner the educational needs of the Presbyterian Church in Canada.

The motion was seconded by Dr. Armstrong.

During the progress of the discussion of the motion, the hour of adjournment arrived."

"The Assembly resumed consideration of Mr. Charlton's motion regarding the Colleges of the Church.

On motion of Dr. Warden, seconded by Mr. E. A. McCurdy, it was resolved to refer the said motion to a Committee to be named by the chair."

Report of Committee on Conference with Board of Queen's College.

"The Assembly resumed consideration of the report of the Committee on Conference with the Trustees of Queen's University.

After discussion, it was resolved, on motion of Dr. Warden, seconded by Mr. J. R. McLeod, to remit the report to the same Committee as that to which Mr. Charlton's motion was referred."

(11) *The Committee of the Assembly Proposes a Continuance of the Relations between the Church and the University with a guarantee of adequate Maintenance.*

"The Moderator named the following Committee, to whom was referred the Queen's University question, and the motion of Mr. John Charlton:

Professor Murray, Convener; Principal Gordon, Professor Campbell, Dr. Bryce, Dr. Warden, Dr. Scrimger, Dr. A. Falconer, Dr. Armstrong, J. W. H. Milne, Dr. Somerville, M. Macgillivray, Dr. J. S. Black, Dr. Lyle, Dr. E. F. Torrance, Dr. Duval, Dr. P. Wright, Dr. R. P. MacKay, Dr. Carmichael, Edwin Smith, J. W. McMillan, J. R. MacLeod, John Hall, D. Tait, Dr. Herridge, William H. Dey, Hamilton Cassels, J. K. Macdonald, Dr. R. Murray, Hon. D. Laird, John Charlton, H. E. Irwin, Walter Paul, J. MacIntyre, Judge Forbes, Robert McQueen, J. J. Story, R. W. Ross. The nomination was approved."

Report of the Committee on the College Question.

"The Assembly called for the report of the Committee appointed to deal with Mr. Charlton's motion, and the report of the Committee of Assembly on Conference with the Trustees of Queen's University, which was given in and read by Professor Murray, Convener, who moved that it be received and its recommendations considered.

The motion was seconded and agreed.

After discussion, the recommendation of the first part of the report was also unanimously adopted.

Thereupon, on motion of Professor Murray, seconded by Mr. John Charlton, M.P., the report as a whole was adopted, as follows:

The Committee to which was referred the subjects of Queen's University and the consolidation of the Theological Colleges, reports as follows:—

"That this Assembly deprecates the proposed severance of the connection between Queen's University and the Presbyterian Church in Canada, and recommends and will actively promote a movement for securing an adequate increase in the endowment of the University, if it is decided to continue the connection at present existing, and that the Moderator be directed to appoint a Commission, with Assembly powers, to confer with the Trustees of the University, and adopt the proper means to secure the necessary financial aid for the purposes of the University, with the understanding that should it be found desirable for the Church to retain the University, with a guarantee of adequate maintenance, the Commission should refer the question to the Presbyteries of the three central Synods before taking final action."

That the consideration of the question of the consolidation of the Theological Colleges, embraced in Mr. Charlton's resolution, be deferred.

(12) *The Trustees stay proceedings in Parliament.*

The Trustees reported as follows to the Assembly of 1904:—

On the resolution of the General Assembly regarding the relations of Queen's University to the Church being reported to us, we met on June 30th and passed the following resolution: "That, having heard the resolution of the General Assembly anent the proposed changes in the charter of the University and also the Principal's report on same, this Board stay proceedings in Parliament and

await the conference with the Commission of Assembly at the earliest date found most convenient. Accordingly, the Board invites the Assembly's Commission to meet in Convocation Hall of this University some time in September."

In accordance with this resolution we met the Commission of Assembly on Tuesday, 15th of September, 1903. After a series of conferences with the Commission, extending over two days, and after due deliberation and consideration of the resolution adopted by the Commission, it was decided: "That the Trustees, having already stayed proceedings in connection with the proposed constitutional changes, resolve, in view of the decision of the Conference, to prosecute these changes no further at present, but to maintain the existing connection between the University and the Church, pending the action of the Church regarding the support of the University."

(13) *Commission of Assembly reports. Presbyteries desire continuance of relations, but are indefinite on the subject of financial maintenance.*

The Commission met in Kingston on the 15th and 16th September, 1903, and again on the 10th and 11th February, 1904, and reported to the General Assembly at St. John, June, 1904, as follows:—

The Commission of the General Assembly of the Presbyterian Church in Canada, in conference with the Trustees of Queen's University, having sent down to the Presbyteries of the three Central Synods of the Church the conclusions at which it had arrived at its former meeting, in terms of the instructions received from the General Assembly, twenty-five out of the twenty-seven Presbyteries have been heard from, and the Commission having carefully examined and duly weighed said returns, finds:

1. That they generally express a warm appreciation of the great service which Queen's University has rendered to the higher education of the country.

2. That twenty-four out of twenty-five Presbyteries express a desire for the continuance of Queen's University in connection with the Church; and the Commission respectfully requests, in view of this unanimity, the Board of Trustees still further to desist from seeking legislation looking to a severance of the relations which have subsisted between the University and the Church.

3. That it does not seem clear how far many of the Presbyteries have had under consideration the present composition and method of appointing the Board of Trustees of the University; but out of the ten that have specially dealt with the matter, seven have signified a desire for a modification of the method of appointing Trustees, while three have voted that the present method is satisfactory. In view of these facts, it would seem as if this question needed further consideration.

4. That a few of the Presbyteries hold that it would be more fitting that the Arts Department of the University should be supported by the general public, since the country at large so greatly benefits by the higher education which it provides, that several Presbyteries feel that the University has by the work it has done for the promotion of the intellectual development of the Dominion made good its claim for support from both the Church and the country, and that a large majority of the Presbyteries heartily commend the University to the liberal support of the people within their bounds.

The Commission, however, is of opinion that the returns of the Presbyteries on the financial propositions submitted to them in the remit are scarcely definite enough to meet the case as provided for in the Assembly's instructions to the Commission, yet consider them so far encouraging as to lead the Commission to recommend the General Assembly to take such steps as will secure an adequate endowment of the University or such an annual income as will provide for its proper equipment and maintenance.

That the Assembly may be fully seized of all the facts which were before the Commission, the returns of Presbyteries and other documents bearing on the matter, which led to the Commission's finding, are hereby transmitted for the information and use of the General Assembly.

(14) *The University Council, while sympathizing with the spirit which prompted the Assembly, points out the gravity of the situation created.*

In the report presented to the Assembly by the Trustees in 1904, there is the following statement of the action taken by the University Council:—

Pursuant to adjournment, we again met the Commission on February 10th, 1904, after the answers had been received from the Presbyteries to the remit sent down for their consideration, and, after deliberation, resolved to defer further consideration of the resolutions until our regular meeting in April, and meanwhile to report the whole of the proceedings which had been taken to the University Council.

The University Council held its annual meeting on April 26th, 1904, and the report of the Trustees was very fully considered on that day and the day following. As a result of the deliberations the Council passed the following resolution, which the Trustees transmit to the General Assembly with their approval:

That the University Council desires to express its hearty sympathy with the spirit which prompted the resolution arrived at by the Assembly of the Presbyterian Church last June to maintain the connection of the University with the Church.

That the Council will be glad to co-operate in the line of that resolution with the view of ascertaining if any definite arrangements can be made in the interests alike of the Church and the University.

That in the meantime the Council desires respectfully to bring the following points before the notice of the Assembly:

First. The resolution of the Assembly is virtually a reversal of its previous attitude and of all the steps which have already been taken by the University authorities to nationalize the University.

Second. As the continuance of the present relation between the Church and the University may impose considerable limitations on the future development of Queen's University, the Council desires to draw the attention of the Church to the gravity of the situation created for the Univeristy by the action of the Assembly at Vancouver.

Resolved, further, that this resolution be sent to the Board of Trustees for transmission to the General Assembly.

The Board of Trustees at the same meeting, 27th April, passed the following resolution:—

The Trustees having already stayed proceedings in connection with the proposed constitutional changes, in view of the action which has been taken by the General Assembly and by the Commission appointed by the Moderator, resolve to reaffirm the resolution of September, 1903, and to continue in the meantime the existing connection between the University and the Church, pending the action of the Church regarding the support of the University.

(15) *The Assembly resolves in favour of maintaining existing relations with Queen's, recommends the Trustees to initiate a movement to procure additional endowment and appoints a Committe to co-operate.*

The Assembly, at St. John in 1904, having appointed a special Committee to deal with the report of the Board of Trustees and with the reference of the Commission on conference with the Board (*Minutes*, p. 29), the report of that Committee, which was adopted unanimously, was as follows:—

Your Committee has considered the report of the Trustees of Queen's University, the minutes of the Commission appointed to confer with Trustees concerning the relation of the University to the Chu[illegible] and the returns of the Presbyteries of the three Central Synods, to which the resolutions of the Commission were referred, and finds that these Presbyteries have expressed with practical unanimity a desire for the maintenance of the connection between the Church and the University.

It therefore recommends to the Assembly:—1. That the connection between the Church and Queen's University be maintained. 2. That, in view of the helpful influence exercised by the graduates of the University, the Assembly would approve of arrangements being made whereby they (the graduates) may be given, through the Council, a larger representation on the Board of Trustees. 3. The

Assembly, recognizing the extent and character of the work done by the University, approves of the deliverance of the Commission,—that the University requires an additional annual revenue of $20,000, exclusive of the contributions at present made in favor of the Theological Department, and heartily commends it to the liberality of the members of the Church, and to the cordial sympathy and support of the Presbyteries and congregations of the Central Synods. 4. The Assembly recommends the trustees to initiate at an early date a movement to procure this additional revenue. 5. The Assembly appoints a Committee to coöperate with the Trustees for this purpose. (*Minutes*, p. 45).

(16) *Further action in regard to Endowment Fund* (1905).

In June, 1905, the Report of the Board of Trustees, presented to the General Assembly, contained the following statement:—

"In view of the action of the last General Assembly regarding an additional endowment for the University that would yield an annual revenue of $20,000, the Board of Trustees, at a meeting held on July 14th, 1904, passed the following resolutions:—

The Trustees, having heard the Resolutions adopted by the General Assembly upon the reports submitted in connection with Queen's University, express their cordial gratification at the action of the Assembly, agree to maintain the present relation between the Church and the University, and welcome the appointment of the large and representative Committee to co-operate with them in securing an adequate increase to the revenues of the University.

The Trustees remit to the Local Board to devise methods for carrying out the movement recommended by the Assembly, and to this end to communicate with the University Council and with the Committee appointed by the Assembly and to take such further action as they may deem necessary.

By arrangement of the Local Board, the Trustees met in conference with the Committee of the General Assembly at Kingston on September 1st, and again at Toronto on September 27th. At the first of these meetings it was agreed "that the aim of the appeal to the Church should be to secure an Endowment of $500,000, but that annual subscriptions should be welcomed on the part of those to whom it is more convenient to contribute in that form." "It was deemed desirable that the privileges of nominating students for a course of tuition in Arts, free of class fees, attached in the past to donations of $100 and $500 respectively, be continued." An Executive Committee was appointed, to whom was remitted the consideration of details of plan for prosecuting the canvass for subscriptions.

The University Council, having met on September 22nd, resolved to "suggest to the Trustees that steps be taken, in connection with the movement to raise an additional Endowment for the University, to appeal to all the graduates and friends of Queen's, and

offer to the Trustees the organization of the University Council in prosecution of the work."

At the meeting on September 27th, the Conference of the Trustees and the Committee "having had communication of the resolution of the Council of the University addressed to the Trustees, express cordial appreciation of the offer of the Council to aid in promoting the movement in aid of the Endowment, and request the Council to name three of its members to co-operate with the Executive Committee."

At this meeting "all the Presbyteries except five were heard from, and the reports given were of the most encouraging nature, showing that there was on all hands a desire to carry into effect the recommendations of the General Assembly." The Conference further resolved "that the Presbyterial Committees be requested to arrange for a meeting to be held in each Presbytery, to be addressed by the Principal of the University or others, and that Presbyterial Committees be asked to request at such meetings the presence and co-operation of all graduates and friends of Queen's within the bounds of the Presbyteries."

The Trustees and Committee, along with the University Council, are thus endeavouring to enlist in this effort on behalf of the University the active sympathy and assistance not only of Presbyteries and congregations, but also of all the graduates and friends of Queen's."

The General Assembly, having received the report of the Committee appointed by the preceding Assembly to co-operate with the Trustees of the University in raising the requisite Endowment, resolved as follows:—

The Assembly recognizing with thankfulness the increasing service which Queen's University is rendering to the Church and the whole country, and deeply impressed with the possibilities for ever greater usefulness:—

1. Expresses its satisfaction at the considerable progress already made;

2. Repeats its conviction that half a million dollars is needed that the College may cope with the demands of its steadily growing numbers;

3. Urges on the Committee an immediate prosecution of the canvass not only within the three central synods, but amongst all the graduates and friends of Queen's;

4. Reappoints the Committee with power to add to its number;

5. Deeply sensible of the gravity and magnitude of the undertaking, it approves of the appointment of a special agent of the Fund, and expresses its satisfaction that the Rev. Robert Laird, of Vancouver, has consented to devote himself to this work.

In the report of the Committee it was stated: "At present we have, including promises and payments, something over $125,000 assured."

(17) *Progress of Endowment Campaign as reported to the General Assembly in* 1906.

In June, 1906, at London, the Assembly, having received the report of the Committee on Endowment, resolved as follows:—

The Assembly expresses its gratification with the progress of the movement to secure the five hundred thousand dollar endowment for Queen's University; with the large number of persons and Presbyteries that have rendered valuable assistance; with the cordial endorsation of the public press and the graduates of the University, and with the generally hopeful tone of the report; calls attention to the difficulties encountered by the Agent in the prosecution of his work, and strongly urges Presbyteries and congregations to forward the movement with vigour and enthusiasm; reappoints the Committee with power to add to its numbers, and again heartily commends the undertaking to the liberality of the Church and country.

In this report of 1906 it was stated: "The total amount now assured, including cash contributions, subscriptions and sums secured by bequest, is about $230,000."

(18) *Progress of Endowment Fund, as reported to the Assembly in* 1907.

In June, 1907, at Montreal, the report of the Committee on Endowment contained the following statement: "The total amount promised, up to May 15th, 1907, from the congregations visited and by individuals deeply interested in Queen's was $262,000. Of this amount $137,429.97 have been paid. Among the payments was the handsome gift of Mr. Charlton, who on Thanksgiving Day, 1906, gave to the University $50,000 for the endowment of a Chair of Moral Philosophy. Shortly after this came the announcement from Mr. Andrew Carnegie that when $400,000 were secured he would complete the half-million dollar fund by a gift of $100,000.

The General Assembly, having received the report of the Committee, resolved as follows:—

Whereas, the General Assembly in nineteen hundred and four (1904) resolved to maintain the connection between Queen's University and the Church, undertook to co-operate with the Trustees in securing additional endowment of five hundred thousand dollars ($500,000), and in nineteen hundred and five (1905), and nineteen hundred and six (1906), renewed its commendation of this movement to the liberality of our people;

And whereas, it is gratifying to find that many of our people have responded loyally, oftentimes making heavy sacrifices because of their devotion to education and their faith in Queten's;

And whereas, notwithstanding the efforts made, a considerable part of the Endowment sought, has not yet been raised;

The Assembly now renews the commendation of the great cause to the liberality of those members and adherents of the Church who have not yet contributed to its support; urges ministers and Managing Boards of congregations, not yet visited, to co-operate with the Committee by arranging for a canvass at the earliest possible date; and reappoints the Committee with such changes as may be desirable or necessary, confidently believing, that all who sufficiently consider the place which Queen's fills in the life of Canada, and her constantly growing need of financial aid to fulfil the work imposed upon her, will unite with their brethren in doing their part in her maintenance and advancement.

(19) *Memorial from the University Senate regarding Constitutional Changes,* 1908. *Action of Assembly thereon.*

In the Report of the Board of Trustees, presented to the General Assembly in June, 1908, at Winnipeg, the following statement occurs:—

A Memorial from the Senate of the University was recently presented to the Board of Trustees, as follows:—

"To the Trustees of Queen's University:

"Gentlemen,—Your memorialists beg to enclose extracts of Minutes of Senate, referring to its meetings held on March 3rd, 10th and 16th.

"The questions involved in the resolutions were fully discussed at three consecutive meetings of the Senate.

"Your memorialists also enclose copies of the memorandum and report read by Dean Cappon to the Senate in connection with the Resolutions, as being the document on which the discussion was based.

"Your memorialists beg respectfully to state that in their opinion it is quite practicable to make such alteration in Queen's Constitution as will bring the University under the benefits of the Carnegie Foundation, and that this may be done without essential disturbance of either the relation which the Theological Hall has to the University or anything that is natural and vital in the relation which now exists between the University and the Presbyterian Church."

The resolutions of Senate, referred to in the Memorial, were (1) "That a Committee be appointed to prepare a memorial to be presented to the Trustees of Queen's, praying them to take into consideration the serious disparity which now exists between the position of Queen's professors and those of similar institutions, both as regards present emoluments and pensions, and that the report be presented to the Senate; (2) That the same Committee prepare a memorial to be presented to the Trustees of Queen's, praying them to take into favourable consideration the question of the admission of the University to the benefits of the Carnegie Fund."

Regarding this memorial the Trustees passed the following resolution:—

"After careful consideration of the Memorial presented by the Senate, and having regard to the fact that, at the request of the General Assembly, the Board of Trustees agreed "to maintain the present relations between the Church and Univer ," the Board resolves to transmit the Memorial, with its accompanying documents, to the General Assembly and to ask for the Assembly's advice in the premises."

The Assembly appointed a Committee to suggest the course they should take in dealing with the Memorial of the Senate, transmitted by the Board of Trustees.

This Committee reported to the Assembly as follows:—

The Committee heard at considerable length representatives of the different views held on the question of the relation of Queen's University to the Church, examined carefully the history of Queen's from its origin to the present time and more particularly the action of the Church prior to the Union in 1874-5, as well as its action in 1901-02, and in 1903-04. They, further, took into consideration the memorial of the Senate together with other documents placed in their hands.

After mature deliberation, the Committee were unanimously of opinion that conditions had lately arisen in Queen's University which justified the Senate in bringing the question of an alteration in the constitution of Queen's before the Trustees, and through them before the Assembly.

The Committee suggest the following as the deliverance of the Assembly:

The Assembly record their gratification at the rapid expansion of Queen's University and their desire for its increasing prosperity.

The Assembly, while ready to maintain the existing relation between the Church and the University, are nevertheless of opinion that the question of the character of that relation should be determined by the Trustees of the University as the body ultimately responsible for its welfare and financial support. They, therefore, authorize the Trustees, after consultation with the benefactors and graduates, to take such action regarding the relation between the Church and the University, as they judge to be best in its interests. Should the Trustees decide in favor of a change of relationship, they shall be required to make provision for the existence and maintenance of the Theological Faculty in a manner satisfactory to the Church.

The Assembly learn with gratification of the progres in the endeavour to raise the sum of $500,000 of an additional endowment for the Faculty of Arts, and earnestly hope that whether a change be made the relation of the University to the Church or

not, a movement of such importance to the welfare of the University should be brought to an early and successful close. The Assembly feel assured that should the existing relation be modified the authorities of Queen's will consult their subscribers as to the destination of the sums they have contributed.

The General Assembly, in view of the urgency of the case, resolve to appoint a Commission to be named by the Moderator with Assembly powers,

1. To give effect, if necessary, to any decision of the Trustees altering the present relation between the University and the C[illegible] and,

2. In giving this consent, to see that adequate provision is [illegible] for the maintenance of the Theological Faculty in full efficiency [illegible] that such a form of government is adopted as will secure to the [illegible]eral Assembly due control over its affairs.

Principal Patrick moved the reception and adoption of the [illegible]port. The motion was seconded by Principal MacLaren.

To this it was moved in amendment:

That the General Assembly, having heard the Memorial [illegible] the Senate, transmitted by the Board of Trustees of Queen's University and the Report of the Special Committee on the subject, reaffirm the position taken by the Assembly of 1904, and remit the Memorial to the Trustees to consider what steps may be taken to provide [illegible]turing allowances for aged and infirm Professors as cases may arise.

A vote being taken, there voted for the Amendment [illegible] against it 47; and for the motion thus amended 67, against it 53, and it was affirmed as the judgment of the house.

In the Report on Endowment presented to the Assembly in 1908, it was stated that the total amount promised on May 1st, 1908 was $305,049.60, and of this amount $168,273.67 had been paid.

(20) *Memorial of Trustees [illegible] Constitutional Changes, in 1909. Appointment of Assembly Commission.*

In the Report of the Trustees presented to the Assembly at Hamilton, June, 1909, there is the following statement regarding Constitutional changes:—

At the regular meeting of the Board of Trustees, held on Wednesday, April 28th, the following resolution was unanimously passed:—

"That the Trustees, having regard to the needs of the University, and to the action of the University Council, as reported in the Minute of 27th inst., regarding proposed changes in the Charter of the University, resolve as follows:—The Trustees desire to express their appreciation of the sympathetic and helpful interest manifested towards the University during its past history by the Supreme Court of the Church, and by many of the members of the Church. They

recall how, on previous occasions, the Church assented to changes in the constitution of the University that tended to further its development and to increase its usefulness. They believe that it would be greatly to the advantage of the University to make further constitutional changes. They therefore respectfully ask that the Assembly will assent to the removal from the Charter of such denominational restrictions as might impede the development of the University, and that the Assembly will appoint a Commission to co-operate with the Board of Trustees in regard to such changes in the constitution of the University."

This resolution of the Board of Trustees having been submitted to the Assembly, it was moved as follows:—

The Trustees of Queen's University, having expressed their deliberate judgment that further changes in the constitution are necessary to the welfare of the University, the Assembly resolves to appoint a Commission to confer and co-operate with the Trustees regarding the changes suggested, to consider all interests involved, and to report their judgment on the whole question to next General Assembly.

To this it was moved in amendment as follows:—

The Assembly, while reaffirming its resolutions of 1904 and 1905, appoints a Commission to consider, in co-operation with the Trustees of Queen's, the matters referred to in the resolution presented by them to the Assembly, and any other matter which may be deemed advisable, and to report to the next Assembly.

After lengthened discussion, a vote was taken on the amendment, which was lost. The motion was then carried unanimously.

The Committee on the Endowment Fund reported to the Assembly that the total sum secured by subscriptions and other definite assurances, up till April 22nd, 1909, was $316,205.10, and the total amount paid since the inception of the movement $182,381.18.

The following were appointed as the Commission of Assembly to confer and co-operate with the Trustees of the University:—

The Right Reverend, the Moderator, *Chairman*; Revs. Dr. John McMillan, Dr. T. C. Jack, Dr. James Barclay, A. T. Love, Dr. Ephraim Scott, Dr. Ramsay, J. H. Turnbull, C. H. Daly, J. D. Boyd, James Binnie, James Wallace, D. W. Best, Dr. D. McTavish, D. Strachan, Dr. D. D. McLeod, J. J. Wright, Dr. William Farquharson, Dr. James Ross, J. Edmison. Dr. C. W. Gordon, Dr. Carmichael, John Millar, *Ministers*; and Lieut.-Governor Fraser, George S. Campbell, Alexander McFee, David Maclaren, George F. Henderson, John M. Gill, W. F. Nickle, M.P.P., Samuel Russell, Richard Lees, M.A., Lieut.-Governor Gibson, Hamilton Cassels, Hon. G. W. Ross, Hon. W. A. Charlton, Judge Morrison, Lieut.-Colonel McCrae, Lieut.-Colonel Logie, John Penman, William Chisholm, M.A., and Edward Brown.

(21) ***Prominent features in the history of the movement for Constitutional Changes.***

The following points deserve consideration in connection with the history of the movement for changes in the constitution of Queen's, as shown in the preceding extracts:—

1. Principal Grant, who had mainly in view the interests of the University, and Principal Caven, who had mainly in view the interests of the Church, were agreed in thinking the time had come when Queen's should have constitutional freedom. The policy of Principal Grant was broadly based on the view that the growth of Queens, the national character of her work, and the fast increasing demands of a modern university, in the way of staff and equipment, made it necessary to enlarge her power of appeal to the Government and the public by putting her on a national instead of a denominational basis. The general course of events since Principal Grant's time, the increasingly liberal attitude of the Government towards education, the rapid growth of scientific and technical departments requiring State aid and involving, as in the case of the Faculty of Education, more or less intimate connection with the Government, and the increasing number of graduates and benefactors interested in technical education, have abundantly confirmed the wisdom of that policy.

On the other hand, the policy of Principal Caven and the General Assemblies which approved the movement for constitutional changes was based on the principle that it was practically impossible, and even undesirable, that the Church should undertake any responsibility for the support and administration of the secular departments of a modern university, and that the Church should, therefore, willingly co-operate in the movement to remove the denominational restrictions in the charter of the University, as no longer consistent with new conditions. The growing demands of the Theological Colleges make it more hopeless than ever to expect the Church to assume any responsibility for the maintenance of the secular departments of Queen's.

2. The proposal for a consolidation of the Theological Colleges at Kingston, which was originally one of the considerations the Vancouver Assembly had before it in requesting the Trustees to stay the proceedings in Parliament for constitutional changes (see sec. 10), had come to nothing.

3. The "guarantee of maintenance" from the Church, which was one of the important conditions mentioned in connection with the original resolutions, both on the part of the Assembly and of the Trustees of Queen's, (see sec. 13), was eventually found to be impracticable.

4. The original estimate ($500,000) of the needs of Queen's in the way of further endowment was hastily made in the midst of discussion, and did not sufficiently take into account the constantly increasing requirements of modern universities. After four years

of laborious canvassing by men who lacked neither enthusiasm nor energy, it has been found difficult to raise in actual receipts half the sum named.

5. The resolution adopted at the General Conference of graduates and corporators held on Nov. 1 and 2, 1900, "to take steps to nationalize Queen's University," still stands as the formal and solemn expression of their will, no other meeting of the general constituency of Queen's having since taken place. But the Trustees earnestly desire to obtain the cordial approval of the Assembly, because they feel that with such approval the movement for constitutional changes would be made entirely a wholesome one, and would not involve any essential loss either to the Church or to the University.

(22). *Action of Board of Trustees on Appointment of Commission of Assembly.*

At a meeting of the Board of Trustees, held on the 5th of October, 1909, the following communication was agreed to by the Board, to be presented to the Commission of the General Assembly:—

"That the Trustees express their gratification at the reply of the General Assembly to their Memorial, and the appointment of a Commission to confer with them, regarding the subject of the Memorial.

That the Trustees respectfully draw the attention of the Commission to the following considerations, viz.:

I. That the Constitution of Queen's University has been modified in 1874, in 1888 and in 1904, the changes thus made being such as to render the University more national in its character.

II. That in the opinion of the Trustees there are certain denominational restrictions which tend to impede the development of the University, viz.:

(1) That all the members of the Presbyterian Church in Canada constitute the corporation of the University.

(2) That of the thirty-seven members at present constituting the Board of Trustees, twenty-seven members must be members of the Presbyterian Church.

(3) That the Principal must be a Minister of the Presbyterian Church.

III. That it may be possible so to change these provisions of the Charter as to promote more fully the progress and welfare of the University, while at the same time conserving the vital sympathy and interest of the Presbyterian Church.

(23) *Clauses from the Draft Bill of 1903, bearing on the proposed Constitutional Changes.*

The Bill submitted to Parliament in 1903, and withdrawn by the Trustees at the request of the General Assembly, contained the following clauses bearing on the proposed changes in the constitution:

The Corporators, Cl. 5. "From and after the passing of this Act the Corporators of the University shall be the Chancellor, the Rector, the Principal, the Trustees, the Professors, the graduates, the alumni, as defined by by-law of the Council, and the benefactors of the University whose names are, or shall hereafter be, enrolled in the book of record and history of the University known as the Domesday Book."

The Governing Board, Cl. 7. "The Governing Board, hereinafter called the Board of Trustees, of the University, shall consist of the Chancellor, the Rector, the Principal, the Minister of Education for the Province of Ontario and an assessor appointed by him, a member appointed annually by the corporation of the City of Kingston, a member appointed annually by the Governing Board of each affiliated college, ten members elected by the University Council, ten members to be elected by the present Board of Trustees, and two members to be elected by the Senate, the said members not to be themselves members of the Senate."

The Senate, Cl. 19. "The Senate as at present constituted is hereby continued subject to the provisions of this Act, and subject to the power which is hereby vested in the Board of Trustees, acting in consultation with the Senate, to enact any statutes it may from time to time think proper to change the present constitution thereof. Provided always that nothing contained in this Act or in any statute hereafter enacted by the Board of Trustees under the powers and authority conferred upon them by this Act, shall in any manner curtail or abrogate any of the present rights, privileges, or powers of the Senate, or vary the qualifications thereof."

All Positions open to Laymen, Cl. 26. "The University shall continue distinctly Christian, but no religious test or qualification, save the profession of Christianity, shall be required of, or appointed for, any officer, Trustee, member of Council, or official of the University. Laymen, as well as clergymen, shall be eligible to any position therein."

Queen's Theological College (28-36), Cl. 28. "There is hereby incorporated a body corporate and politic under the name of "Queen's Theological College," which shall be subject to the jurisdiction of the General Assembly of the Presbyterian Church in Canada, and the corporators thereof are declared to consist of all persons who now are or shall at any time hereafter be members of any Presbyterian Church in Canada, and the members of the present Theological Faculty of the University are declared to be professors in the said Queen's Theological College."

Cl. 30. "The said College is declared to be affiliated with the University, and the governing board shall, at the first, be such of the present Trustees of the University as are members of any Presbyterian Church in Canada."

Cl. 33. "The Board of Trustees of the said College may, from time to time, appoint and remove a Principal and professors in the

said College, subject to the veto of the General Assembly of the Presbyterian Church in Canada, to whom such appointments shall be reported."

Cl. 34. "Five members of the Board of Trustees of the said College shall retire annually, and in such order as is determined by the said Board, which, subject to confirmation by the General Assembly, shall annually appoint five members of the said Church to succeed those so retiring, who, however, shall be eligible for re-appointment. Vacancies by death or resignation may be filled by the other members of the said board, subject to confirmation by the General Assembly."

Cl. 35. "The University shall pay over to Queen's Theological College out of the funds of the University for the maintenance of the said College at Kingston and in affiliation with the University, the amount determined by a resolution of the Trustees of the University passed at a meeting held on the 19th May, 1903, and until the payment over to the said College of the said sum the University shall pay over the income thereof to the said College."

Cl. 36. "The University shall provide adequate class-rooms and other proper accommodation in the University buildings for the said Theological College, including light, heat, and attendance."